

**AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 8TH DAY OF MARCH 2005, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.**

**A. ROLL CALL**

Michael J. Brown, Chairman, Powhatan District  
Jay T. Harrison, Sr., Vice Chairman, Berkeley District  
Bruce C. Goodson, Roberts District  
John J. McGlennon, Jamestown District  
M. Anderson Bradshaw, Stonehouse District

Sanford B. Wanner, County Administrator  
Leo P. Rogers, County Anomey

**B. MOMENT OF SILENCE**

Mr. Brown requested the Board and citizens observe a moment of silence.

**C. PLEDGE OF ALLEGIANCE**

Tavish O'Connor, representing Boy Scout Troop 414, led the Board and citizens in the Pledge of Allegiance.

**D. PRESENTATION**

1. Exceptional Service Award – Evan Rickerson

Mr. Brown, Mr. McGlennon, Police Lieutenant Steve Rubino, and Fire Marshall Greg Thompson presented Evan Rickerson with an Exceptional Service Award in recognition for his assistance in saving his friend's life by remaining calm and taking the quick and appropriate action of having a neighbor call 911 when his friend fell through the ice on a pond.

**E. PUBLIC COMMENT**

1. Ms. Stephanie Smith, 113 Chinkapin Lane, representing the Active Williamsburg Alliance, requested that the Board increase the financial commitment to the County's Greenways projects and requested that members in the audience in support of additional funding for the Greenways projects stand and be recognized.

2. Mr. Bob Austin, 4557 Ware Creek Road, representing over 300 members of the Williamsburg Area Bicyclists, requested that the Board provide adequate funding for the Greenways projects to provide safe routes for alternative transportation such as bicycling.

3. Mr. Ed Oyer, 139 Indian Circle, commented on the Williamsburg-James City County Schools participating in the Accelerator Academic Excellence program; commented on the non-regulatory assessment fee by AT&T and inquired about the County's justification for raising tax on telecommunications; and commented on an article in the *Virginia Water Council* regarding brackish water which may increase upon increased groundwater withdrawals and the severe stress levels on the Chickahominy Piney-Point Aquifer.

4. Dr. Daniel Shaye, 3204 Ironbound Road, spoke on behalf of Colonial Road Runners in support of the Active Williamsburg Alliance and for safe alternative pedestrian traffic routes on paved and unpaved trails in the County.

## F. CONSENT CALENDAR

Mr. Bradshaw made a motion to adopt the items on the Consent Calendar, including the amended minutes of the Board's regular meeting held on February 22, 2005.

On a roll call vote, the vote was: AYE: Harrison, Goodson, McGlennon, Bradshaw, Brown (5). NAY: (0).

1. Minutes
  - a. February 3, 2005, VACo/VML Legislative Day
  - b. February 22, 2005, Regular Meeting
2. Strengthening Families Program - Historic Triangle Substance Abuse Coalition Grant

## RESOLUTION

### STRENGTHENING FAMILIES PROGRAM -

### HISTORIC TRIANGLE SUBSTANCE ABUSE COALITION

WHEREAS, James City County has received a grant to implement the Strengthening Families Program.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following appropriation to the Special Projects/Grants Fund:

Revenue:

Historic Triangle Substance Abuse Coalition      \$3,059

Expenditure:

Strengthening Families Program      \$3,059

3. Revisions to Chapter 11. Safety Program, of the James City County Personnel Policies and Procedures Manual

R E S O L U T I O N

REVISIONS TO CHAPTER 11. SAFETY PROGRAM OF THE JAMES CITY COUNTY

PERSONNEL POLICIES AND PROCEDURES MANUAL

WHEREAS, it is the practice of the County to periodically review its policies for improvement and alignment with County values; and

WHEREAS, safety oversight within the County now falls under Financial and Management Services, Risk Management; and

WHEREAS, the written safety program in the County is a policy which provides structure for responsibility and Implementation of safety procedures and safety rules.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that revisions to the Personnel Policies and Procedures Manual listed above are adopted.

4. Award of Bid - Emergency Communications Center

R E S O L U T I O N

AWARD OF BID - EMERGENCY COMMUNICATIONS CENTER

WHEREAS, competitive bids were advertised for the Emergency Communications Center to be constructed in Toano at 3127 Forge Road; and

WHEREAS, bids were received with the low bidder being Sun Bay Contracting with a bid of \$1,871,000; and

WHEREAS, previously authorized Capital Improvements Program (CIP) budgeted funds are available to fund this contract bid award and construction.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator or his designee to execute the necessary contract documents for the Emergency Communications Center in the total amount of \$1,871,000.

## F. PUBLIC HEARINGS

### 1. Ordinance Amendment - Chapter 20. Taxation. Amending Article X. Tax on Local Telecommunication Service, Section 20-71, Levy

Mr. John E. McDonald, Manager of Financial and Management Services, presented an amended Ordinance to increase the monthly local telecommunications service tax under the Consumer Utility Tax (CUT) to \$1.60 and requested the Board approve the Ordinance amendment which would allow implementation of the tax change effective July 15, 2005.

Mr. Brown inquired if this increase was discussed in the Budget proceedings last year

Mr. McDonald stated the increase was included in the financial plan adopted by the Board for FY 06 to fund additional staff and equipment at the County's Emergency Dispatch Center.

Mr. McGlennon inquired if the tax is subject to review by the General Assembly next year.

Mr. McDonald stated that it is.

Mr. Brown opened the Public Hearing,

As no one wished to speak to this matter, Mr. Brown closed the Public Hearing.

Mr. Bradshaw made a motion to approve the amended Ordinance.

On a roll call vote, the vote was: AYE: **Goodson, McGlennon, Bradshaw, Brown (4)**. NAY: **Harrison (1)**.

### 2. Ordinance Amendment - Chapter 11, Health and Sanitation – By Adding Section 11-66. Automatic Irrigation System; and Renumbering Old Section 11-66. Violations of Article. to Section 11-67

Mr. **Larry M. Foster** introduced Beth Davis, Environmental Education Coordinator, James City Service Authority, and stated that a modified, amended Ordinance has been distributed to the Board this evening in response to Mr. Bradshaw's recommendations.

Ms. Davis recommended the Board adopt the amended Ordinance that will require all irrigation systems installed in the County and supplied water by the JCSEA to have a rain sensor to override the irrigation cycle of an automatic irrigation system when a predetermined amount of rain has fallen. Further, customers with an automatic irrigation system that was installed without a rain sensor will be offered a one-time incentive program rebate up to \$50 for installing a rain sensor.

Mr. Harrison inquired how the sensors will be monitored and how inspections will be conducted as a result of this amendment.

Ms. Davis stated that current inspection process will continue.

Mr. Brown recommended a punctuation change to the proposed Section 11-67.

A brief discussion was held on the recommendation.

Mr. Bradshaw recommended an "and" be inserted prior to the word "each" in Section 11-67.

Mr. Brown agreed to the recommendation.

The Board and staff discussed the possible incentive program to encourage retrofitting of rain sensors onto existing irrigation systems.

Mr. Brown inquired if this Ordinance would apply equally to residential as well as industrial customers.

Mr. Foster stated that it would apply to both.

Mr. Goodson proposed, and Mr. Foster concurred with the **recommendation**, to have staff develop a flag system to alert staff to inspect for rain sensors while **performing** other inspections, such as **backflow** inspections, and a way to alert home inspections for potential homebuyers to investigate for rain sensors.

Mr. Brown opened the Public Hearing.

As no one wished to speak to this matter, Mr. Brown closed the Public Hearing.

Mr. Harrison made a motion to approve the modified Ordinance amendment as well as the proposed addition of the word "and" as recommended by Mr. Brown and Mr. Bradshaw.

On a roll call vote, the vote was: AYE: **Harrison, Goodson, McGlennon, Bradshaw, Brown (5)**. NAY: (0).

3. Case No. SUP-37-04, 115 Winston Drive Duplex

Mr. Brown stated that the applicant has withdrawn the special use permit application and therefore a Public Hearing is not needed for this case.

4. Sale of Property at 3832 Longhill Road and Appropriation of Program Income Funds

Mr. Richard B. Hanson, Housing and Community Development Administrator, stated that in 1998 the County **purchased** a vacant house on **Longhill** Road for **temporary** use as a community resource center for the **Greater Centerville** Road area and in **2004** the property became **available** to be sold to a qualified homebuyer. Several persons on the top of the County's Affordable Housing Incentive Program waiting list were notified at the end of **2004** of the **potential** availability of the house, as **well** as a **number** of other **properties**. A County resident has indicated interest in purchasing the house and appears qualified for special financing available through the Affordable Housing Incentive Program.

Staff recommended the sale of 3832 **Longhill** Road and that the proceeds of the sale be appropriated by the Board for property acquisition and improvements associated with the Ironbound Square Residential Revitalization Project and the development of affordable housing within the Ironbound Square neighborhood.

Mr. Brown recognized Mr. Jack Fraley representing the Planning Commission in the audience.

Mr. Brown opened the Public Hearing.

As no one wished to speak to this matter, Mr. Brown closed the Public Hearing.

Mr. Harrison made a motion to adopt the resolution and thanked Mr. Hanson and his staff in addressing the needs of the community by taking a housing unit and turning it into a community resource center and then back into an affordable housing unit.

On a roll call vote, the vote was: AYE: Harrison, Goodson, McGlennon, Bradshaw, Brown (5). NAY: (0).

**RESOLUTION**

**SALE OF PROPERTY AT 3832 LONGHILL ROAD AND**

**APPROPRIATION OF PROGRAM INCOME FUNDS**

WHEREAS, in 1998 James City County acquired the blighted parcel containing approximately .459 acres with improvements located at 3832 Longhill Road in the Powhatan District designated as Real Estate Tax Parcel No. 3130200026 (the "Property") for the purpose of assisting the residents of the Greater Centerville Road area to combat crime and foster a healthy neighborhood and citizenry; and

WHEREAS, appropriated funds from the Community Development Fund were used to purchase and rehabilitate the Property to enable it to be used for an interim period as the Centerville Road Resource Center after which the Property was to be sold to a qualified first-time home buyer through the County's Affordable Housing Incentive Program; and

WHEREAS, the Board of Supervisors, following a public hearing, is of the opinion that the County should convey this Property for \$101,000 to a qualified first-time home buyer on the waiting list of the Affordable Housing Incentive Program; and

WHEREAS, additional funds are required to purchase properties and make improvements to accomplish the objectives of the Ironbound Square Residential Revitalization Project.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby authorize and direct the County Administrator to execute a deed and any other documents needed to convey the property for \$101,000 to a qualified first-time home buyer through the County's Affordable Housing Incentive Program.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, hereby amends the Community Development Fund Budget, as adopted for the fiscal year ending June 30, 2005, as follows:

Revenue Increase:

Program Income	\$101,000
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Expenditures Increase:

Housing and Community Development Programs	<u>\$101,000</u>
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and that the increased program income funds be designated a continuing appropriation to carry beyond FY 2005 until the activities of the Ironbound Square Residential Revitalization Project are completed.

## **G. BOARD CONSIDERATIONS**

### **1. Approval of Real Estate Contract -New Town Community Building**

Mr. John T. P. Home, Development Manager, stated that the County intends to construct a Public building in the New Town development to commemorate 2007, provided an **overview of the** proposed site, and stated that as part of the process, it is necessary for the County to acquire a site for the building from New Town Associates, LLC.

Staff has been meeting with New Town representatives for several months and recommend that the Board authorize the County Administrator to sign a contract to purchase the site in New Town once a final contract has been agreed upon.

The Board and staff discussed the negotiation of the contract and that the resolution authorizes the County Administrator to sign a final contract.

Mr. McGlennon inquired what the approximate date for completion would be.

Mr. Home stated that staff anticipates it will be ready in about **18** months depending upon how long it takes to get approval of the design of the **greenfill** space.

Mr. McGlennon requested that an art piece be included in the development of the site that will complement the building and will make a lasting contribution beyond the building itself.

Mr. Brown inquired if the placement of the building will be on the east end or if there will be further discussion on the placement.

Mr. Home stated that the end has been considered by the Design Review Board and the exact configuration will be subject to further considerable consideration.

Mr. **Goodson** requested confirmation that the development of the commemorative building be in conjunction with the other 2007 committees.

Mr. Wanner stated that staff understands that there will be participation from the community in the selection of the architect as it moves forward.

Mr. **Goodson** made a motion to adopt the resolution.

On a roll call vote, the vote was: AYE: **Harrison, Goodson, McGlennon, Bradshaw, Brown**(5). NAY: **(0)**.

## RESOLUTION

### APPROVAL OF REAL ESTATE CONTRACT -

#### NEW TOWN COMMUNITY BUILDING

WHEREAS, James City County wishes to construct a building for use by the community and as a legacy from the 400th anniversary of the landing at Jamestown; and

WHEREAS, a suitable site is located in **the New Town** development as part of the Town Green consisting of approximately .221 acres; and

WHEREAS, terms of a commercial real estate contract have been negotiated between the County and the property owner, New Town Associates, LLC, that include a payment of approximately \$115,500 for shared parking and an additional quarterly parking maintenance fee.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia does hereby authorize and direct the County Administrator to execute a real estate contract in the amount of \$3,300 per parking space for approximately 35 parking spaces with an additional quarterly parking maintenance fee and any other documents needed to purchase a suitable site for a community building from New Town Association, LLC.

#### **H. PUBLIC COMMENT**

1. Mr. Ed Oyer, 139 Indian Circle, requested that everyone keep troops in mind.

#### **I. REPORTS OF THE COUNTY ADMINISTRATOR**

Mr. Wanner stated that in the advertised agenda, some actions to be taken by the Board are tied to the Strategic Management Plan and the Board and citizens can see how County is moving forward to achieve its vision.

On March 18, 2005, there will be a public roll out of a Way Finding System that is a collaborative effort of James City County, York County, Colonial Williamsburg, the City of Williamsburg, and others to establish a system for visitors to find their way through the Historic Triangle using integrative signs in the area.

Mr. Wanner recommended when the Board completes its business, it adjourn to 4 p.m., March 22, for a Work Session.

Mr. Wanner stated that James City County is a major **funder** of a Commonwealth initiative to link Richmond to Williamsburg by way of a trail and commented that the trails will **be** multi-use.

Mr. Wanner recommended that the Board convene into Closed Session during its meeting pursuant to Section 2.2-3711(A)(1) of the Code of Virginia for the consideration of appointments of individuals to County Boards and/or Commissions.



Mr. Wanner presented a resolution authorizing the County Administrator to execute a contract to TischlerBise to provide consulting services to assist in the development of a cash proffer system for the funding of school capital projects and the transfer of funds for the service.

Mr. Goodson made a motion adopt the resolution.

On a roll call vote, the vote was: AYE: Harrison, Goodson, McGlennon, Bradshaw, Brown (5). NAY: (0).

## RESOLUTION

### CONTINGENCY TRANSFER – CASH PROFFER CONSULTING SERVICES

WHEREAS, the Board of Supervisors of James City County desires to develop a cash proffer system for the funding of needed school capital improvements, and

WHEREAS, proposals were solicited through a Request for Proposals (RFP) process based on a specific scope of work and of four responses, the one received from TischlerBise was chosen as the most responsive.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes the County Administrator to execute a contract with TischlerBise and to authorize the transfer of \$27,000 from Operating Contingency to the Board of Supervisors' Budget to fund the contract.

## **J. BOARD REQUESTS AND DIRECTIVES**

Mr. McGlennon stated that Secretary Clement is leaving the administration and he has been an active proponent for the Capital-to-Capital trail development.

Mr. McGlennon requested that staff look into a program whereby individuals with Alzheimer's disease can be tracked.

Mr. McGlennon requested that staff look into a reverse 911 system whereby a broadcast message can be sent to inform the public of important situations.

Mr. Wanner stated that the County has a partial system in place.

Mr. McGlennon requested that staff investigate the full reverse 911 program and the opportunities that it offers, such as telephone calls to senior citizens.

Mr. Bradshaw recognized the members in attendance from Boy Scout Troop 414 who are working towards their merit badges and thanked them for attending.

**K. CLOSED SESSION**

Mr. Harrison made a motion to go into Closed Session pursuant to Section 2.2-3711(A)(1) of the Code of Virginia for the consideration of appointments of individuals to County Boards ~~and/or~~ Commissions.

On a roll call vote, the vote was: AYE: Harrison, **Goodson**, McGlennon, Bradshaw, Brown (5). NAY: (0).

Mr. Brown adjourned the Board into Closed Session at 7:53 p.m.

Mr. Brown reconvened the Board into Open Session at 8:23 p.m.

Mr. McGlennon made a motion to adopt the Closed Session resolution.

On a roll call vote, the vote was: AYE: Harrison, **Goodson**, McGlennon, Bradshaw, Brown (5). NAY:

**RESOLUTION**

**CERTIFICATION OF CLOSED MEETING**

WHEREAS, the Board of Supervisors of James City County, Virginia, (Board) has convened a closed meeting on this date pursuant to an **affirmative** recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby certifies that, to the best of each member's knowledge: i) only public business matters lawfully exempted **from** open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies; and, (ii) only such public business matters were heard, discussed, or considered by the Board as were identified in the motion, Section 2.2-3711(A)(1), to consider personnel matters, the appointment of individuals to County boards and/or commissions.

Mr. Harrison made a motion to appoint John T. P. Home, Manager of Development Management; John E. McDonald, Manager of Financial and Management Services; Michael Thornton, Assistant Superintendent for Finance and Administrative **Services**, Williamsburg-James City County Schools; Ingrid Blanton; John Wilson, the Williamsburg Area Realtors representative; David **Jarman**; a PTA Council representative; a Williamsburg Area Homebuilders representative; Mark **Rinaldi**; and Leo P. Rogers, County Attorney, in an ex **officio** role; to the Cash Proffer Steering Committee.

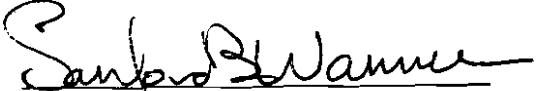
On a roll call vote, the vote was: AYE: Harrison, **Goodson**, McGlennon, Bradshaw, Brown (5). NAY: (0).

**L. ADJOURN**

Mr. Harrison made a motion to adjourn.

On a roll call vote, the vote was: AYE: Harrison, Goodson, McGlennon, Bradshaw, Brown (5). NAY:  
(0).

At 8:24 p.m. Mr. Brown adjourned the Board to 4 p.m. on March 22, 2005.

  
Sanford B. Wanner  
Clerk to the Board

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## CHAPTER 11

### SAFETY ~~PROGRAM~~-POLICY Policy

#### Section 11.1      Purpose

The safety initiative within James City County incorporates the County values of personal responsibility, efficiency and commitment to service, working in a collaborative manner, and learning and information sharing. The purpose of the Safety ~~Program~~ **Policy** is to provide an environment in which employees can complete their assigned tasks with little or no ~~loss due risk~~ to personal injury, *occupational illness*, or vehicle accident, and in which our customers can transact business with the County and participate in County-sponsored programs without sustaining injury. The Safety ~~Program~~ **Policy** is based on a sincere concern for the welfare and safety of our employees and our customers, as well as on the belief that safety is an essential element of an effective and efficient organization. As such, safety is a basic requirement of everyone's job.

#### Section 11.2      Objectives

Objectives of the County Safety ~~Program~~ **Policy** include the following:

1. Ensure that all employees have the necessary knowledge and receive the proper training to perform their jobs in safe and efficient manner.
2. Provide a structure for all ~~divisions/departments~~ in the County to be in compliance with Federal and State Occupational Safety & Health Standards and Regulations.
3. Reduce lost time work injuries to zero.

#### Section 11.3      Employee Coverage

The County Safety ~~Program~~ **Policy** applies to all employees within the County including workers under the direct supervision of County personnel.

#### Section 11.4.      Responsibilities

All County employees shall be fully responsible for following the provisions of this ~~program.~~ **policy**. The responsibilities listed below are a MINIMUM, and they shall in no way be construed to limit individual initiative to take additional action to reduce losses due to personal injury or vehicle accident.

1.      *All* Employees

Employees are required, as a condition of employment, to exercise due care in the course of their work to prevent injuries to themselves, their fellow workers and the general public. All employees shall:

- a. Become trained in and comply with all specialized safety ~~\_\_\_\_\_~~ *rules and procedures* required of the department/division for which he/she works.
- b. Operate only machines and equipment that they have been trained and authorized to operate by their supervisor.
- c. Obey all published safety rules.
- d. *Not bring any unauthorized weapon (firearm, knives, clubs, stun guns, or any other object designed to inflict harm that is not used in the performance of job duties, has no valid application in the workplace and has not been approved by the department manager) on County owned or controlled property (including, but not limited to the buildings, grounds, parking lots, County vehicles, private vehicles parked on County property, client's homes, and traveling between work assignments.*
- e. *Not threaten ( e.g. use words or gestures which intimidate others, **prolonged or frequent** shouting, stalking or following an individual, or any other conduct which causes others to fear for their safety) or inflict harm (e.g. slapping, punching, striking, **pushing** or otherwise physically attacking a person) against any individual or property.*
- f. Take an active part in the safety ~~program effort~~.
- g. Report all unsafe conditions to their supervisor.
- h. Report all accidents, *threats, or acts of violence* immediately to their supervisor.

2. ~~Human Resource Department/County Safety Coordinator~~ *Financial & Management Services/Risk Management Director*

The ~~Human Resource Department~~ *Risk Management Director* shall be fully responsible for the direction and administration of the Safety ~~Program~~ *Policy* and shall take all actions deemed necessary to affect a reduction in accidents and their causes. The ~~Human Resource Department~~ *Risk Management Director* shall:

- a. Determine the safety procedures required by each department,

- b. Assist departments with the setting of safety goals and objectives.
- c. Assist departments with the establishment and maintenance of required safety procedures.
- d. Maintain an inventory of training materials and topics for safety training.
- e. Maintain complete records and provide reports on County accidents in accordance with OSHA requirements.
- f. Provide reports to Department Managers and Department Safety Representatives on County accidents.
- g. ~~Staff and~~ **Provide administrative technical** support to ~~the County~~ **Department** Safety Committees.
- h. Administer the County Workers' Compensation Program.

### 3. Department/Division Managers

(In some Departments, Divisions and Division Managers will have the same responsibilities as Departments due to their autonomy or unique operations and size. The ~~Safety Coordinator~~ **Risk Management Director** will determine if separate responsibilities are warranted.)

Department Managers are responsible for maintaining safe working conditions within their departments. All Department Managers shall:

- a. Establish and maintain department safety programs and procedures as identified by the ~~County Safety Coordinator~~ **Risk Management Director**.
- b. Set safety goals including OSHA Total Recordable Incident Rate, Lost Time Incident Rate, and Vehicle Accident Rate and establish them as performance indicators for the department.
- c. Designate a department safety representative(s) and establish and support a department safety committee as needed.
- d. Ensure that all employees in their department comply with the policies and procedures set forth herein.

- e. Devote a portion of staff meetings, as necessary, to the review of safety efforts, procedures and past losses.

4. Department Safety Representatives

The department safety representative is responsible for the coordination of the safety ~~programs~~ *rules* and procedures within the department and among departments within the County. All department safety representatives will:

- a. Oversee the implementation and maintenance of safety procedures within the department.
- b. Review and ensure investigation of all department accidents; and make recommendations for preventing reoccurrence.
- c. Serve as a safety resource to the department employees.
- d. Participate in the ~~County~~ *Department* Safety Committee.
- ~~e. Serve as a liaison between the Committee and department employees.~~

5. Supervisors

Supervisors are responsible for ensuring that their employees work and operate machines and equipment in a safe manner. All supervisors shall:

- a. Ensure that each employee is fully trained to safely perform the job her or she is assigned to do.
- b. Ensure that each employee is familiar with the safety procedures they need to follow based on their position and tasks performed.
- c. Conduct safety training meetings as qualified and provide time for staff to attend safety training as required by safety procedures.
- d. Make recommendations to the Department Manager on safety needs including training and personal protective equipment.
- e. Make recommendations to the Department Manager on any additional or specialized safety rules or procedures needed.

- f. Correct any unsafe conditions or practices observed in the work area and not allow employees to resume work until corrections are made.
- g. *Immediately address violent or threatening behavior in the workplace.*
- h. Ensure that employees are familiar with and trained in the safety and health specialized programs required for the department/division by OSHA.
- i. Review all accidents that occur within the work unit, provide accurate information on the appropriate accident reporting forms and make recommendations on ways to prevent a reoccurrence of the accident.

~~F. County Safety Committee~~

~~The County Safety Committee shall maintain the Safety Program to incorporate the current practices and philosophies proven to be most effective in preventing injuries, occupational disease, vehicle accidents, injuries to the public and damage to equipment and materials. The County Safety Committee shall:~~

- ~~1. Periodically evaluate compliance with VOSH required safety programs within departments.~~
- ~~2. Conduct a quarterly review of County accidents, document any trends and recommend ways to prevent similar accidents from occurring.~~
- ~~3. Set goals, objectives and strategies for the County Safety Program.~~
- ~~4. Implement safety strategies adopted by the Committee.~~

Section 11.5      Safety Rules and Procedures

~~A variety of safety policies and procedures are required to be in place within each department depending on the scope of operations of each department. These policies and procedures are based on Virginia Occupational Safety & Health regulations and the special programs developed by the County to address risks within County operations. *The County has published safety rules and detailed safety procedures. These rules and procedures are based to meet the Virginia Occupational Safety and Health Standards and to protect employees from the risks and hazards they face. Safety procedures are based on the requirement of written procedures and employee training.*~~



The ~~County Safety Coordinator~~ *Risk Management Director* will assist each department in determining which procedures are required based on operations and assist with the implementation of the procedures. Each Department is responsible for implementing the required safety procedures identified. New procedures will be added as regulations mandate and loss factors require.

Safety procedures must be adopted to the department based on operations and responsibilities within the department. The Department Head is responsible for organizing the structure, including establishing responsibilities, committees, etc. for implementing and maintaining these procedures.

#### Section 11.6 — Violence in the Workplace

~~Violence is so serious that unauthorized weapons are prohibited in the workplace and any incident involving threatening or violent behavior, will result in a prompt investigation and immediate appropriate action.~~

~~The County shall provide assistance such as counseling services to employees who are affected by workplace violence.~~

##### A — Guiding Principles

- ~~1. James City County recognizes that workplace violence is a national problem and that it conflicts with our value of mutual respect, trust, honesty, and personal responsibility among all employees.~~
- ~~2. James City County believes that a safe work environment enables employees to work effectively.~~
- ~~3. Working together and sharing responsibility for reporting incidents of threatening or violent behavior by or against County employees will minimize the risk to everyone.~~

##### B — Definitions

- ~~1. Workplace Violence is the use of threatening or violent behavior to restrict the freedom of action or movement of another person or to endanger the health or safety of another person or the property of the County.~~
- ~~2. Threatening Behavior is an expressed or implied threat to inflict physical harm against another person or another's possession or property, including County Property, which cause a reasonable apprehension that such harm is about to occur. Examples of threatening behavior include, but are not limited to:~~

~~Direct or indirect threats of harm;~~

~~Words of gestures which intimidate others;~~

~~Prolonged or frequent shouting;~~

~~Stalking or following an individual; or~~

~~Other conduct which causes others to fear for their safety~~

~~3. Violent Behavior is the intentional infliction of physical harm or attempt to inflict physical harm against another as well as physical harm against another's possession or property, including County property. Examples of violent behavior include, but are not limited to:~~

~~Slapping, punching, striking, pushing or otherwise physically attacking a person; or~~

~~Throwing or otherwise handling objects in an aggressive manner.~~

~~4. The Workplace is County owned or controlled property, including but not limited to: the buildings, grounds, parking lots, County vehicles, private vehicles parked on County property, client's homes, and traveling between work assignments.~~

~~5. Weapons include:~~

~~All firearms such as handguns, rifles, and shotguns;~~

~~Knives or other cutting utensils;~~

~~Clubs, brass knuckles or other devices;~~

~~Stun guns;~~

~~Other objects that cause bodily harm and have no other valid application in the workplace.~~

~~6. Unauthorized Weapons are weapons described in B.5 above which are not used in the performance of job duties, have no valid application in the workplace, and have not been approved by the department manager.~~

## ~~C. Consequences~~

~~Individuals engaging in workplace violence shall be subject to disciplinary action up to and including termination of employment~~

~~and/or criminal prosecution in accordance with Chapter 8, Standards or Conduct, of this manual.~~

Section 11.6     Accountability

*Violation of this policy or published safety rule or procedure warrants prompt investigation and disciplinary action following the County Standards of Conduct.*

chp11SafetyPolicyRevision

ADOPTED

MAR 8 2005

ORDINANCE NO. 107A-46

BOARD OF SUPERVISORS  
JAMES CITY COUNTY  
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, TAXATION, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE X, TAX ON LOCAL TELECOMMUNICATION SERVICE, SECTION 20-71, LEVY; AMOUNT OF TAX ON LOCAL TELECOMMUNICATION SERVICE.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 20, Taxation, is hereby amended and reordained by amending Section 20-71, Levy; Amount of tax on local telecommunication service.

Chapter 20. Taxation

Article X. Tax on Local Telecommunication Service

Section 20-71. Levy; Amount of tax on local telecommunication service.

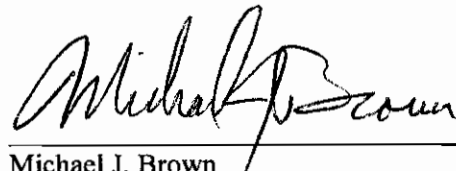
(a) There is hereby imposed and levied by the county upon each and every taxable purchase by a consumer of local telecommunication service provided that the consumer's service address is located within the county a tax in the amount of ~~ten percent~~ <sup>twenty</sup> percent of the gross charge made by the service provider against the consumer with respect to each and every taxable purchase; provided, however, that:

- (1) In any case any monthly bill submitted by any service provider for residential, commercial, or industrial service shall exceed ~~\$14.00~~ <sup>\$8.00</sup> for a residential consumer, there shall be no tax computed on so much of such bill as shall exceed ~~\$14.00~~ <sup>\$8.00</sup>; and

- (2) In any case any monthly bill submitted by any service provider to a consumer for mobile local telecommunication service shall exceed ~~\$14.00~~ \$8.00, there shall be no tax computed on so much of such bill as shall exceed ~~\$14.00~~ \$8.00.

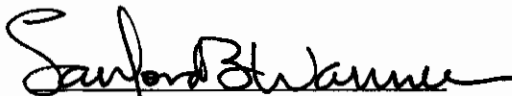
All such taxes shall be computed to the nearest whole cent. Bills shall be considered monthly bills if submitted 12 per year for periods of approximately one month each.

This Ordinance shall become effective on July 15, 2005.



Michael J. Brown  
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner  
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
HARRISON	NAY
GOODSON	AYE
MCGLENNON	AYE
BRADSHAW	AYE
BROWN	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of March, 2005.

ADOPTED

MAR 8 2005

ORDINANCE NO. 116A-36

BOARD OF SUPERVISORS  
JAMES CITY COUNTY  
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 11, HEALTH AND SANITATION, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE VII, OUTDOOR WATER USE, BY ADDING NEW SECTION 11-66, AUTOMATIC IRRIGATION SYSTEM; AND BY RENUMBERING OLD SECTION 11-66, VIOLATIONS OF ARTICLE, TO SECTION 11-67.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 11, Health and Sanitation, is hereby amended and reordained by adding new Section 11-66, Automatic irrigation system; and by renumbering old Section 11-66, Violations of article, to Section 11-67.

Chapter 11. Health and Sanitation

Article VII. Outdoor Water Use

Sec. 11-66. *Automatic irrigation system.*

(a) *Definitions. For the purposes of this section, the following words and phrases shall have the meanings respectively ascribed to them as follows:*

*Automatic irrigation system. A device or combination of devices having a hose, pipe, or other conduit installed in the landscape which transmits James City Service Authority (JCSA) water, through which device or combination of devices JCSA water or a mixture of JCSA water and chemicals is drawn and applied to residential or commercial lawns, landscapes or greenspace.*

*Rain sensor. An electronic device that measures rainfall and will override the irrigation cycle of an automatic irrigation system, thus turning it off, when a predetermined amount of rain has fallen. To meet*

*the requirements of this section, the device shall be mounted in an open area outdoors, above ground in an unobstructed location, well suited for gauging rain, according to the manufacturer's specifications. The rain sensor shall override the irrigation controller when adequate rainfall has occurred, which will keep the automatic irrigation system from watering in the rain.*

*(b) Requirements.*

*(1) In order to protect the public health and welfare and insure the integrity of the JCSA water system, all irrigation systems installed in James City County and supplied water by the JCSA after March 8, 2005, shall have a rain sensor gauge set at one-fourth inch or less such that the system is turned off when one-fourth inch or more rain has fallen.*

*(2) JCSA customers with automatic irrigation systems that were installed prior to March 8, 2005, without a rain sensor are encouraged to install a rain sensor.*

*(3) All automatic irrigation systems must have a backflow preventor device.*

*(c) Maintenance.*


*All rain sensors shall be adjusted and set at one-fourth inch or less so that they automatically shut off when one-fourth inch of rain has fallen. All rain sensors shall be installed according to the manufacturer's instructions in a location that will provide full exposure to rainfall such that accuracy of operation is assured and shall be maintained in good working condition. No person shall adjust either the rain sensor or automatic irrigation system so that the rain sensor is not able to override and turn off the automatic irrigation system after one-fourth inch of rain has fallen. The rain sensor shall automatically interrupt the watering schedule of the automatic irrigation system and return it to its normal schedule after*

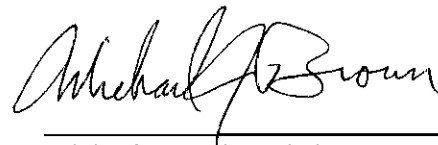
~~the rain event ends. The even/odd watering day schedule will still apply notwithstanding any provisions in this ordinance.~~

~~State law reference - Power of authority, Code of Virginia § 15.2-5114.~~

Sec. 11-667. Violations of article.

A violation of any provision of this article shall constitute a misdemeanor by a fine of up to \$2,500.00 and each day that a violation exists shall constitute a separate offense.





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Michael J. Brown, Chairman  
Board of Supervisors

ATTEST:



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Sanford B. Wanner  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, on this 8th day of March, 2005.